



Department of Justice

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U.S. JOINS CASE AGAINST CINCINNATI HEALTH CARE FACILITIES

ALLEGING KICKBACKS FOR CARDIAC SERVICES

WASHINGTON -- The United States has intervened in a whistleblower suit accusing The Christ Hospital, The Health Alliance of Greater Cincinnati and The Ohio Heart Health Center of defrauding federal health care programs, the Justice Department announced today. The lawsuit alleges that Christ Hospital, a full service Cincinnati-based hospital and formerly a member of The Health Alliance, and Ohio Heart, the largest cardiology group in that region of Ohio, devised a scheme that provided cardiologists improper financial incentives in exchange for generating revenue for the hospital.

The focus of the lawsuit is an outpatient cardiology testing unit within Christ Hospital known as the Heart Station, where patients receive non-invasive heart procedures such as electrocardiograms, echocardiograms and stress tests. The lawsuit alleges that, between at least 1999 and 2004, cardiologists were allocated time at the Heart Station based solely on the amount of coronary arterial bypass graph procedures and catheter lab revenues generated by each cardiologist or cardiology group for Christ Hospital during the previous year.

Many of these procedures were billed to and paid for by various federal healthcare benefit programs, including Medicare and Medicaid. Federal law makes it unlawful to provide or receive financial incentives in exchange for patient referrals. In this case, cardiologists, including those employed by Ohio Heart, were rewarded for referring business or generating revenue for Christ Hospital with the opportunity to bill for the patients they treated at the Heart Station and for any follow-up procedures that these patients required. This system for scheduling time at the Heart Station gave area cardiologists an incentive to perform certain cardiac procedures at Christ Hospital and prevented otherwise qualified cardiologists, who failed to generate income for Christ Hospital during the previous year, from working at the Heart Station.

"The government's intervention in this case demonstrates the Justice Department's continued commitment to ensuring that medical decisions are based on the medical needs of the patients and not on unlawful financial incentives paid to physicians," said Acting Assistant Attorney General Jeffrey S. Bucholtz, of the Justice Department's Civil Division.

The lawsuit was originally filed in the U.S. District Court in Cincinnati under the whistleblower provisions of the False Claims Act by a cardiologist who previously provided services to Christ Hospital and Ohio Heart. Under the act, a private party can file an action on behalf of the United States and receive a portion of the recovery.

“Our office chose to intervene because we believe this case is critical to protecting the integrity of the federal healthcare benefit programs,” U.S. Attorney Gregory G. Lockhart said.

The government’s investigation was conducted by the U.S. Attorney's Office in Columbus, Ohio; the Justice Department's Civil Division; the Office of Inspector General of the Department of Health and Human Services; and the Federal Bureau of Investigation.

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